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SUBJECT: SOUTH AFRICA: NOVEMBER LABOR NOTES

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¶1. Summary: Construction workers revamping the Moses Mabhida Stadium in Durban went on strike the beginning of November last week, over low wages and safety issues. The National Union of Mineworkers (NUM) chose to get involved on behalf of the construction workers, and reached an agreement with employers on November 19. Meanwhile, trade union federation COSATU has called for an investigation and change of regulations to protect farm workers after 16 farm workers died over a five day period in two separate transport accidents, while the Food and Allied Workers Union (FAWU) organized a series of rural protest marches on Saturday, November 17 to protest against poor working conditions including safety issues.

¶2. Trade Union Federations NACTU and FEDUSA joined in confederation SACOTU which claims 900,000 members, still substantially less than COSATU's 1.8 million. The Department of Labor is undergoing staff changes including the departure of Director General Vanguard Mkosana. The National Union of Mineworkers has called a nation-wide strike over safety issues for December 4, and said all of its 240,000 members are likely to take part. COSATU's Central Executive Committee called for an investigation into its President Willie Madisha, in a controversy over allegedly missing donated to the South African Communist Party. End Summary.

Strike at 2010 Stadium in Durban

¶3. A 12-day strike at Durban's Moses Mabhida Stadium ended on Monday, November 19 with an agreement by employers by pay additional project bonuses, employ additional health and safety staff, and a promise to assist in enforcing a minimum wage on subcontractors. NUM, the National Union of Mineworkers, negotiating on behalf of construction workers, had demanded monthly bonuses, better health and safety standards, and tying the hiring of subcontractors to their compliance with a sectoral determination which sets a minimum wage. NUM claimed that some workers employed by subcontractors were earning just R6 (or less than one dollar) an hour. The agreement reached means that a secondary strike at other 2010 sites will not proceed immediately, though the press has speculated that the concessions made in Durban will incite strikes at other 2010 stadia.

Farm Worker Protests

¶4. The Congress of South African Trade Unions (COSATU) has called for an investigation and crackdown on the use of open trucks to transport workers to and from their workplaces after 16 farm workers died in two separate incidents within a five day period. Ten farm workers did on November 9 after truck they were riding in went off the road near Piketberg. Another 6 died, and 40 were injured in a highway accident on November 14.

¶15. One of COSATU's affiliates, the Food and Allied Worker Union, organized a strike by farm workers on Saturday, November 17. While the union claimed that thousands of farm workers in a variety of rural towns would strike over poor working and living conditions, lack of concern about their safety, and the impact of food price inflation (currently running at 17 percent at the retail and 24 percent at the producer level), press reports indicate that turnout was in the hundreds. The press also indicated that the South African Communist Party reinforced the numbers of farm workers marching.

Comment  
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¶16. Comment: Both construction and farm work have relatively low rates of unionization, and both of the trade unions taking action - NUM and FAWA - have a majority membership that is not in the trades that are striking. Trade union federation COSATU is encouraging its affiliates to have a minimum membership of 100,000 and therefore some consolidation is occurring with smaller trade unions being absorbed by larger ones. Bread and butter issues, especially food price inflation, led to South Africa's very substantial strike season this year, with the South African Reserve Bank estimating that real wages declined by 2.6 percent over the first quarter of 2007 from the same period in 2006. While there are economic reasons for both FAWA and NUM to have taken strike actions, a trade union contact told us the NUM strike was at least partly political. An official involved in 2010 preparations thought NUM's actions were entirely political, aimed at influencing the ANC's Polokwane conference. Press attention on low wages and poor working conditions is meant to highlight the limitations of President Mbeki's otherwise strong economic performance. End Comment.

Staff Changes at Department of Labor

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¶17. Vanguard Mkosana, Director General at the Department of Labor, will leave that position on November 30 at the expiration of his contract. The Department of Labor has a series of qualified audits form the auditor general over the past three years. In addition, staff turnover, especially among labor inspectors, and continuing vacancies have hampered the effectiveness of the department. Press reports indicate that Deputy Director General Masodi Xaba and chief Financial Officer Chris van der Merwe are also leaving after Minister Mdladlana accepted their resignations. Les Kettledas, a veteran bureaucrat, will be the Department's acting Director General.

Two Trade Union Federations Merge - More or Less  
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¶18. In an event attended by Labor Minister Mdladlana that nevertheless received very little press play, trade union federations FEDUSA (Federation of Trade Unions of South Africa) and NACTU (National Council of Trade Unions) formed a confederation to be known as the South African Confederation of Trade Unions (SACOTU) on November 9, 2007. FEDUSA and NACTU announced their plans to merge in September 2006, but, in the event, disparities in management style limited their amalgamation to a confederation. While both federations were apolitical, FEDUSA had run its trade union like a business, with regular financial and membership audits, whereas NACTU brought its political influence to the table. SACOTU's claims to have membership of around 900,000 trade unionists. It proposed to be an independent and non-political trade union. (Comment: The ANC government has dealt preferentially with both NACTU and FEDUSA in the past, partly because of COSATU's political engagement and willingness to publicly criticize President Mbeki's government whenever the opportunity offered. The government encouraged both federations to unite, in order to create a greater working

class voice beyond COSATU. End Comment. COSATU said it had written to SACOTU to propose a meeting to discuss COSATU's proposal for a single united trade union federation, a proposal unlikely to find favor with apolitical SACOTU.

#### Mineworkers to Strike on Safety Issues on December 4

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¶9. The National Union of Mineworkers set December 4 as the date for a one-day nationwide strike on safety issues. According to NUM spokesman Lesiba Seshoka, gold mines including Harmony, AngloGold Ashanti, and Gold Fields will be struck as well as platinum producers Impala Platinum and Anglo Platinum. Diamond producer DeBeers and coal miner Exxaro will also be targeted during the strike, which the union claims will involve all of its 240,000 members. Another four miners died in four separate incidents over the three day period from November 22-24. NUM has described the spate of mining deaths as "genocide." According to Chamber of Mines statistics, mining fatalities stand at 182 deaths this year. (Comment: A large of number of miners are using workers sourced through labor brokers - one estimate says a third of the mining workforce is now sourced through labor brokers -- and these workers may chose not to participate in the strike. Nevertheless production is likely to be affected. End Comment.)

#### COSATU to Investigate its President

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¶10. COSATU's Central Executive Committee (CEC) meeting of November 13-15 voted to conduct a commission of inquiry into the conduct of its President Willie Madisha. Madisha, who is also the President of the South African Democratic Teachers Union, has been embroiled in a controversy over R500,000 allegedly donated by a businessman to the South African Communist Party and allegedly delivered to its General Secretary, Blade Nzimande. Madisha was involved in the transport and delivery of these funds, which were never recorded nor apparently reached the SACP treasurer. He was not charged but made a statement to the police. The CEC voted to authorize a commission of inquiry to examine whether the conduct of Madisha brought COSATU into disrepute or have led to a deterioration of trust between national office bearers.

COFFMAN